

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

CULTURAL CARE, INC. d/b/a CULTURAL
CARE AU PAIR, ERIN CAPRON, and
JEFFREY PENEDO,

Plaintiffs,

v.

OFFICE OF THE ATTORNEY GENERAL
OF THE COMMONWEALTH OF
MASSACHUSETTS, and
MAURA T. HEALY, IN HER CAPACITY AS
ATTORNEY GENERAL OF THE
COMMONWEALTH OF MASSACHUSETTS,)

Defendants.

Civil Action No. 1:16-cv-11777-IT

NOTICE OF APPEAL

Pursuant to Federal Rule of Appellate Procedure 3, notice is hereby given that Cultural Care, Inc. d/b/a Cultural Care Au Pair, Erin Capron and Jeffrey Penedo, plaintiffs in the above-named case (collectively “Plaintiffs”), hereby appeal to the United States Court of Appeals for the First Circuit from:

- The Court’s June 20 order in open court and June 21 written order (ECF No. 33) denying Plaintiffs’ Motion for Leave to File a Second Supplemental Memorandum in Opposition to Defendants’ Motion to Dismiss;
- the Court’s August 1, 2017 Memorandum and Order (ECF No. 37) allowing Defendants’ motion to dismiss;

- the Court's August 2, 2017 Order of Dismissal (ECF No. 38);
- the Court's October 26, 2017 Order (ECF No. 44) denying Plaintiffs' Rule 59(e) Motion Requesting that the Court Reconsider the Dismissal Opinion, Vacate the Judgment, and Allow the Case to Proceed as Pled, or, in the Alternative, that the Court Vacate the Judgment and Allow Plaintiffs Leave to File an Amended Complaint Pursuant to Rule 15(a)(2) and to Supplement the Record; and
- any remaining adverse orders subsumed into the foregoing.

Respectfully Submitted,

CULTURAL CARE, INC. d/b/a CULTURAL
CARE AU PAIR, ERIN CAPRON, and
JEFFREY PENEDO,

By their attorneys,

/s/ Joan A. Lukey

Joan A. Lukey (BBO#: 307340)

joan.lukey@choate.com

Justin J. Wolosz (BBO#: 643543)

jwolosz@choate.com

CHOATE, HALL & STEWART LLP

Two International Place

Boston, MA 02110

Tel.: (617) 248-5000

Fax: (617) 248-4000

Date: November 20, 2017

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants.

/s/ Joan A. Lukey